

Subject: Re: Conley v. County of Erie
From: "Timothy D. McNair" <tmcnair@velocity.net>
Date: Mon, 05 Dec 2005 11:46:28 -0500
To: "Joyal Jr,Edmond R" <EJOYAL@stpaultravelers.com>

You have the option to produce the documents at my office for copying. Please pick a time this week to do that.

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"Nobody has a more sacred obligation to obey the law than those who make the law."
-- Sophocles

Joyal Jr,Edmond R wrote:

At this time it seems to me that what you are asking for is for me to pay to copy exhibits that you could have had if you had purchased the transcript.

In addition, Anthony and I spoke of this and he was going to go through the documents that he received from Taft during the grievance/labor board hearings and determine what he had that is responsive. If you agree to pay the copying costs we will copy the documents and have you invoiced directly.

The objections concerning the emails from Deveney, the letters and any other information that concerns open or closed OCY cases cannot be provided because of all of the confidentiality laws, regulations, etc. that have been cited during your client's and Ms. Cosby's deposition. I see no way around that and I cannot enter into a protective order because your client has shown no past inclination to maintain confidentiality of such records. If you want to draft a protective order for signature by the court, please do so and we can present it to the judge. Any such order must have appropriate sanctions against anyone who violates it.

Other than that, I cannot comment because I believe that all of our objections are well taken and I suggest that you provide me with case law, etc. that you will rely on to show that our objections are not well taken.

-----Original Message-----

From: Timothy D. McNair [<mailto:tmcnair@velocity.net>] Sent: Monday, December 05, 2005 10:32 AM
To: Joyal Jr,Edmond R
Cc: Mark Lane; Anthony Angelone; Abby Conley
Subject: Conley v. County of Erie

Mr. Joyal:

I have not heard from you in response to my letter of November 28. If I do not hear from you today, I will have no choice but to assume that you do not wish to attempt to resolve our differences, and will proceed with a motion to compel.

Thank you.

Timothy D. McNair

